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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

AUG 27 2002

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AZ CORP COMMISSION
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IN THE MATTER OF US WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH SECTION 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

PROCEDURAL ORDER**BY THE COMMISSION:**

On August 12, 2002, AT&T Communications of the Mountain States, Inc. and TCG Phoenix (collectively "AT&T") filed a Motion For Stay Of Proceeding Or, In The Alternative, To Reopen The Record Regarding The Public Interest ("Motion"). AT&T alleges that that Qwest has been unlawfully providing in-region, interLATA services through its "lit capacity IRU" agreements, and that Qwest knew or should have known that such was a clear violation of section 271. AT&T requests a stay in the proceedings, pending further investigation into Qwest's actions by the federal regulators, or in the alternative that the Commission initiate a full investigation into Qwest's IRUs to determine if Qwest has and continues to provide in-region, interLATA services in violation of the Act.

On August 23, 2002, Qwest filed an Opposition to AT&T's Motion ("Opposition"). Qwest argues the Touch America complaint at the FCC has nothing to do with the section 271 process and that the FCC was aware of the IRUs when it approved the merger between Qwest and U.S. West, Inc. Qwest asserts that Commission Staff was aware of the Touch America complaints when it filed its Proposed Report on Qwest's compliance with Public Interest and Track A, and concluded that the mere existence of the complaints did not warrant a finding that granting Qwest section 271 relief was inconsistent with the public interest.

A Procedural Conference should be held for the purpose of considering AT&T's Motion.

IT IS THEREFORE ORDERED that a Procedural Conference for the purpose of considering

AT&T's Motion shall commence on September 5, 2002 at 10:00 a.m., at the Commission's offices, 1200 West Washington, Phoenix, Arizona.¹

IT IS FURTHER ORDERED that AT&T shall file a Reply to Qwest's Opposition and interested parties, including Staff, shall file any Response or Comments to the Motion or Qwest's Opposition by September 3, 2002 at 3:00 p.m.

DATED this 27th day of August, 2002.

Jane L. Rodda / by Drades
JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 27th day of August, 2002, to

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